

**RECEIVED**

MAR 29 2018 *CM*

TONY R. MOORE, CLERK  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION

IN RE: ACTOS (PIOGLITAZONE)

MDL NO. 6:11-md-02299

This document applies to:

JUDGE DOHERTY

ALL CASES

MAGISTRATE JUDGE HANNA

**MEMORANDUM ORDER**

Pending before the Court is the Report and Recommendation of Deputy Special Master Dejean recommending a supplemental Common Benefit Fee and Expense Allocation for services rendered and expenses incurred by three members of the Plaintiffs' Steering Committee - Co-lead Counsel Richard Arsenault and Paul Pennock, and Liason Counsel Patrick C. Morrow, Sr. and their respective law firms. [Rec. Doc. 7197].

This Court articulated in extensive detail the factual and procedural background of this MDL, the Common Benefit Fee and Expense review process, the methodology utilized to calculate the aggregate fee award, a reasonableness analysis and ultimately the allocation of the Common Benefit Fees and Expenses in its Memorandum Ruling of July 17, 2017 [Rec. Doc. 6943]. In that ruling, these three members of the PSC leadership and their law firms were awarded fees and expenses for Common Benefit Work they performed and expenses they incurred. The Court

adopts its reasoning and analysis in the Memorandum Ruling as it pertained to these three members of the PSC and their firms for purposes of evaluating the current recommendation.

The deadline for submissions of time and expense requests for reimbursement for the initial allocation to various attorneys who performed work for the common benefit of all plaintiffs was March 17, 2017. The Court authorized these three members of the leadership to continue to perform Common Benefit Work and incur Common Benefit Expenses for the time period from March 18, 2017 through December 31, 2017. The time and expenses of the three firms were audited in accordance with the methodology and process previously set forthin this Court's ruling of July 27, 2017. The effort of these three members and their firms was instrumental in leading up to the final closure of this MDL with literally hundreds of issues being resolved over the last three quarters of 2017.

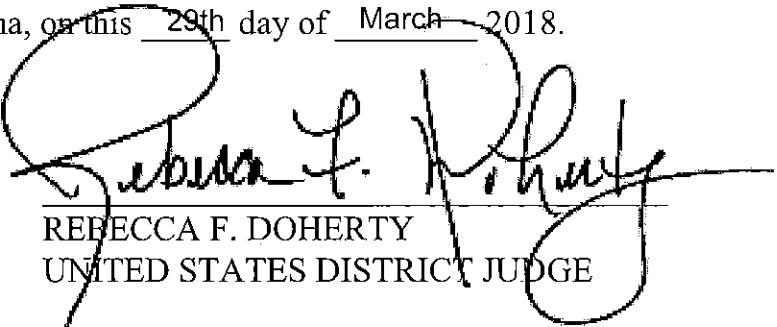
Therefore, for the reasons articulated in this Court's Memorandum Ruling of July 17, 2017;

IT IS ORDERED that the Report and Recommendation of Special Master Dejean recommending a supplemental allocation of Common Benefit Fees and Expenses is ADOPTED as the Order of this Court.

IT IS FURTHER ORDERED that the recommended amounts be disbursed by

the ACTOS QSF Administrator to the firms identified in the Report and Recommendation [Rec. Doc. 7197].

Signed at Lafayette, Louisiana, on this 29th day of March 2018.



REBECCA F. DOHERTY  
UNITED STATES DISTRICT JUDGE

3-29-18

cc

10 via fax G. Russo w/RR #7197